



TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS

Regular Session

Date: JANUARY 8, 2007

AGENDA

7:30 p.m. – Roll Call

Motion to accept minutes of December 11, 2006 meeting as written.

PRELIMINARY MEETINGS:

1. YURY MATSUKA (07-01) Request for 10 ft. Rear Yard Setback for proposed 12' X 17' rear deck at 2648 Liberty Ridge (The Reserve) in an R-3 Zone (77-1-6)
2. LESLIE TOBACK (for Wellback Properties, Inc.) (07-02) Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Tpk. in an NC Zone (44-1-41.1)

(NEXT MEETING JANUARY 22, 2007)

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TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
JANUARY 8, 2007

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN
KIMBERLY GANN
KATHLEEN LOCEY
ERIC LUNDSTROM
PAT TORPEY

ALSO PRESENT: MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
ZONING BOARD ATTORNEY

MYRA MASON
ZONING BOARD SECRETARY

REGULAR_MEETING

MR. KANE: I'd like to call to order the January 8,
2007 meeting of the New Windsor Zoning Board of
Appeals.

APPROVAL_OF_MINUTES_DATED_DECEMBER_11,_2006

MR. KANE: Motion to accept the minutes of December 11,
2006 as written.

MR. LUNSTROM: So moved.

MR. TORPEY: Second it.

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ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

PRELIMINARY_MEETINGS:

YURY_MATSUKA_(07-01)

MR. KANE: Request for 10 ft. rear yard setback for proposed 12' x 17 rear deck at 2048 Liberty Ridge (The Reserve).

Mr. Yury Matsuka appeared before the board for this proposal.

MR. KANE: Hi. So you know what the Town of New Windsor does is that we hold two meetings, one preliminary meeting so that we can get an idea of what you want to do and you can get an idea of what we need you to do to get that accomplished. Some towns they do it in one meeting and if you don't have everything you need you lose. So this is the way we do it and the next one will be a public hearing and it generally will be the same type of questions and then in a public thing we'll open it up to the public for any questions from your neighbors or anybody that has any concerns at that point. So again, just speak loud enough for this young lady over here to hear you and tell us what you want to do, sir.

MR. MATSUKA: I want to build the deck and you have the dimensions of this deck and essentially it's about 30 inches above the ground and it will be in the back yard of course.

MR. KANE: The deck going to be, some questions even looking at the pictures still have to ask, cutting down any trees or substantial vegetation in the building of the deck?

MR. MATSUKA: No.

MR. KANE: Creating any runoffs or water hazards in the building of deck?

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MR. MATSUKA: No.

MR. KANE: Will the deck be similar in size and nature to other decks that are in your neighborhood?

MR. MATSUKA: I would say probably smaller.

MS. KANE: Safe to say that you do have a short set of steps coming out a rear door, the deck will take the place of those steps?

MR. MATSUKA: That's correct.

MR. KANE: You consider the deck to be a better safety situation than the stairs are currently?

MR. MATSUKA: That's for sure, these stairs are not safe at all.

MR. TORPEY: Are you the contractor?

MR. MATSUKA: No, I'm not the contractor, I'm the owner. Mike is the contractor.

MR. TORPEY: I didn't know who you were.

MR. MATSUKA: Michael?

MR. DOW: Michael Dow, I'm the project manager for Rose and Son which is the contractor for him.

MR. KANE: And you understand that if the variance is approved here that still means you have to meet all the rules and regulations from the building department?

MR. DOW: Yes.

MR. MATSUKA: Yes.

MR. KANE: Pretty clear cut. Any easements running through your property or where the deck is going to be?

MR. DOW: I don't believe so.

MR. KANE: I don't believe so either.

MR. MATSUKA: I'm not sure, I don't know.

MR. KRIEGER: Municipal water and sewer?

MR. DOW: No, they're all up front.

MR. KRIEGER: Electric coming to the house up front?

MR. DOW: Yes.

MR. KANE: According to this, it's still going to leave you 20 feet three inches to the fence from the back of the deck?

MR. MATSUKA: Yes.

MR. BABCOCK: We rounded that off to 20 foot just for paperwork.

MR. KANE: Any further questions from the board? We have pictures.

MR. TORPEY: It will look like all these other decks, right?

MR. DOW: There are several decks, just going to be basically like this.

MR. MATSUKA: There's a big deck on this property but I didn't take a picture to show it but there are several decks around.

MR. KANE: It looks like it's going to be 13 x 17 so it

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is coming out 13, 17 long?

MR. DOW: I believe 12 feet.

MR. BABCOCK: Twelve by seventeen, Mr. Chairman, just for the record, he would be allowed without a variance a 2.3 foot deck, that's all he's allowed.

MR. KANE: No further questions, I'll accept a motion.

MR. LUNSTROM: I will move that the application as stated on the agenda project number 70-01 be allowed to go forward to a public hearing.

MR. TORPEY: I will second that.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: You're all set up for a public hearing, we'll give you a sheet, just follow the directions. If you have any questions, give Myra a call.

MR. LUNSTROM: You realize you should do no work until you get a permit.

MR. MATSUKA: We understand that, sure.

LESLIE_TOBACK_(FOR_WELLBACK_PROPERTIES,_INC.)_(07-02)

Dr. and Mrs. Cliff Toback appeared before the board for this proposal.

MR. KANE: Request for one (1) additional freestanding 48 sq. ft. sign at 388 Blooming Grove Turnpike.

DR. TOBACK: That's correct, it's 24 square feet, I made a mistake in my calculations.

MR. KANE: For an additional 24 square foot sign, so it is going to be, Mike, do we cover both sides of sign with the 48, is that why it might be written up that way? I just want to make sure.

MR. BABCOCK: Yes, it's two sided so it's 48 square feet total.

MR. KANE: That's how they write it up.

MS. TOBACK: I'm Leslie, just so you know, I'm president, this is Cliff Toback, vice president of the corporation that owns the lot. This is Mr. Gerald Crisberg (phonetic.)

MR. CRISBERG: We built the building alongside the Tobacks' building and they're on 94 so we're looking for a sign out on 94.

MR. KANE: Okay, tell us exactly what you want to do.

DR. TOBACK: We want to put a sign on our property because they did build a professional building, they did a very nice job right behind us and due to the traffic as you're going down 94 you wouldn't know when to turn to get to this professional building. So we want to put something on our property saying whatever the name of their building will be, you know, an arrow showing the direction to their lot, to their

professional building so people know where it is.

MR. CRISBERG: That's the building we built on Oakwood Terrace.

MR. KANE: The sign itself you're proposing to put about 15, is that 10 feet or--

MS. TOBACK: Approximately from the curb, there's a curb that the town owns and that our property lot is two feet in from that and then it would be in I think which way from Oakwood?

MR. KANE: From Oakwood 10 feet.

MS. TOBACK: Ten feet from the road.

MR. KANE: We'll go by that, and on the other side you're going to be 14 feet approximately from 94?

MS. TOBACK: There's a grassy area between us and then our lot.

MR. KANE: And the existing sign is over here?

DR. TOBACK: Correct.

MR. KANE: Will the sign impede the vision of any traffic coming down from Oakwood Terrace or 94?

DR. TOBACK: No, I looked at that already.

MS. TOBACK: We had a mock 4 x 6 sign made up and placed there and checked it to, we also don't want it blocking our sign, so we checked it. I drove up and down both ways, we turned, we went to the stop sign, it doesn't seem as if it would block anything.

MR. KANE: From the pictures that I was looking at, the pictures are good, so we have them for the public

hearing. The sign illuminated in any way?

MS. TOBACK: No.

MR. KANE: So no internal illumination, no nighttime illumination whatsoever?

DR. TOBACK: No.

MR. LUNSTROM: The sign that's currently there, what's the size of that, height and width?

MS. TOBACK: I don't know, I'd have to check our C.O. on that.

MR. KANE: I think it's permitted 164 square foot sign so already exists but that doesn't mean it's that size.

MR. CRISBERG: This is the sign that's there?

MR. LUNSTROM: Yeah.

MS. TOBACK: I don't know the dimensions, I'd have to look at my C.O.

MR. CRISBERG: I think it's 6 x 10.

MS. TOBACK: I think it's a little wider than 6.

MR. KANE: Both building are on the same property?

DR. TOBACK: No.

MS. TOBACK: No.

DR. TOBACK: But putting the sign on our property so they know where they turn. They're going to end up coming to ours and--

MR. KANE: And you'll be handing out maps.

DR. TOBACK: Yes.

MR. CRISBERG: We call our building 17 Oakwood Terrace and that's what the sign probably will be with an arrow.

MR. KANE: Any further questions? So you guys know, we have already received two letters from neighbors with no objections whatsoever but that we'll bring into the record in the public portion of the hearing. Any further question, guys? I'll accept a motion.

MR. LUNSTROM: I will make a motion that Dr. and Leslie Toback's application as presented on the agenda be allowed to go forward to a public hearing.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

REORGANIZATION

MR. KANE: Before we adjourn tonight since we have everybody here I think it's probably a good idea just to hold a reorganization meeting for 2007. Does anybody have any suggestions? Does anybody want to take this seat?

MS. GANN: We like you in that seat, Mike.

MR. LUNSTROM: I will offer a motion that Mike Kane be reappointed chairman.

MS. GANN: I will second the motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	ABSTAIN

MR. KANE: My thing would be to keep the status quo and which would keep Kim as the vice chairman, unless somebody wants to try their hand at that for a while. It's good experience all the way around, just to get an idea of what's going on.

MR. LUNSTROM: I will have the honor of making that motion.

MR. KANE: We have a motion.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	ABSTAIN
MR. LUNDSTROM	AYE

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MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

MS. LUNDSTROM: So moved.

MS. LOCEY: Second it.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth
Stenographer